

**MEDICAL EXAMINING BOARD
REGULAR MEETING
JULY 24, 2002**

MEMBERS PRESENT: Drs. Darold Treffert, Sidney Johnson, Ronald Grossman, Clark Olsen, Sandra Mahkorn, Alfred Franger, Lief Erickson, Bhupinder Saini, Daniel Miota, and Muriel Harper and Virginia Heinemann

MEMBERS EXCUSED: Karen Kalishek, Mohammed Rafiq Sethi

STAFF PRESENT: Deanna Zychowski, Bureau Director; Wayne Austin, Legal Counsel; Pamela Meicher, Program Assistant

GUESTS: NONE

CALL TO ORDER

Chair Darold Treffert called the meeting to order at 8:03 a.m.

APPROVAL OF AGENDA

Amendments: -Correspondence from Dale M Buegel, MD
-Issue Complaint
-Correspondence on Timothy Staacke, MD

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 19, 2002

Amendment: Correct name on page three of minutes: Alfred Franger

MOTION: Sidney Johnson moved, seconded by Clark Olsen, to approve the minutes of June 19, 2002 as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

SECRETARY OSCAR HERRERA

Secretary Oscar Herrera along with the Governor was thankful for the attendance and productivity of the Board workshop held in June.

Secretary Oscar Herrera said the budget is the most important issue the Department is working on. He would like a Board member to join his new committee to address the Board's most important budget issues.

Dr. Darold Treffert welcomed and introduced the newest Board member, Dr. Daniel Miota. Dr. Treffert also wanted to thank Secretary Herrera for the excellent Board Workshop.

MOTION: Ronald Grossman moved, seconded by Virginia Heinemann, to appoint Darold Treffert as the Board member representative on the Secretary's new budget committee. Motion carried unanimously.

CE PROGRAM PLANNING-BARBARA SHOWERS

Barbara Showers led the discussion on continuing education. The Medical Examining Board does not plan any changes in their requirement. They currently require 30 hours every two years, however, specialties may require more. Monitoring of continuing education is done on an as needed basis.

MEETING WITH BILL BLACK - PHARMACY EXAMINING BOARD RELATING TO GENERIC SUBSTITUTION.

Bill Black, Legal Counsel discussed how the Pharmacy Examining Board prescribers intent carries out and protects the public. There is no legislation in Wisconsin on electronic signatures. He also addressed paper prescriptions with a no substitution checkbox as default. He also advised the Board that a prescription may be called in with a do not substitute with a generic.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

Barry Wanner will provide a timeline for cases at the next Board meeting.

MODEL GUIDELINES ON PAIN MANAGEMENT

The Board reviewed the correspondence from Dr. June Dahl on the Model Guidelines from the Federation of State Medical Boards.

MOTION: Sidney Johnson moved, seconded by Ronald Grossman, to inform Dr. Dahl that the Board could not officially adopt the Model Guidelines from the Federation of State Medical Boards on pain management as a guideline since the board does not have the authority to adopt guidelines but recommends that a statement be published in the regulatory digest that if a practitioner followed the FSBMB guidelines, the practitioner would be practicing within the standard of care of a licensed physician. Motion carried unanimously.

AN AUXILIARY BOARD AND THEIR FUNCTIONS – CLARK OLSEN

Clark Olsen led the discussion on an auxiliary board. He would like to see a box on the licensing form asking if doctors would like to be an expert on an auxiliary board. The Board is looking for a panel of experts or individuals, on an as needed basis, when experts are required.

Clark Olsen, Darold Treffert and Sidney Johnson plan on meeting after the next screening committee in September. They will put the criteria together used to select experts or individuals.

Once the criteria list is complete, the Board may submit the proposal for an Auxiliary Board to Secretary Oscar Herrera.

ORAL ARGUMENTS

DALE BUEGEL, MD

DOE Attorney, Arthur Thexton and Dale Buegel, MD, presented oral arguments in the matter of Dale Buegel, MD. This matter will be deliberated on in closed session.

ATHLENE ALEXIS, MD

DOE Attorney, Arthur Thexton and attorney Paul Erickson presented oral arguments in the matter of Athlene Alexis, MD. This matter will be deliberated on in closed session.

REPORT OF SCREENING COMMITTEE

Muriel Harper reported the Screening Committee reviewed 90 complaints. Twenty-three complaints were opened, more information was requested on eight, and 59 were not opened.

The Board would like to see fewer records attached to the complaints. A summary sheet could be used instead.

RECESS TO CLOSED SESSION

MOTION: Alfred Franger moved, seconded by Clark Olsen, to recess to closed session pursuant to Chapter 19.85 (1)(a), (b), (f), and (g), Wis. Stats, for the purpose of conducting a full Board oral examinations, reviewing requests for stays of suspensions and modification of orders, deliberation of proposed decisions, issuing complaints, ratifying licenses and certificates, reviewing case status report, meeting with the Division of Enforcement and consulting with Legal Counsel. Role call vote: Lief Erickson – yes, Alfred Franger – yes, Ronald Grossman – yes, Clark Olson – yes, Sandra Mahkorn – yes, Muriel Harper – yes, Virginia Heineman – yes, Bhupinder Saini – yes, Sidney Johnson – yes, Darold Treffert – yes. Motion carried unanimously.

Open session recessed at 9:30 a.m.

RECONVENE IN OPEN SESSION

MOTION: Clark Olsen moved, seconded by Virginia Heineman, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 1:27 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

MOTION: Lief Erickson moved, seconded by Alfred Franger, to reaffirm all motions made during closed session. Motion carried unanimously.

DELIBERATION OF PROPOSED DECISIONS

DALE BUEGEL, MD

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to adopt Findings of Fact, in the matter concerning Dale Buegel, MD. Darold Treffert did not participate. Roll call vote: Lief Erickson-yes, Alfred Franger-yes, Ronald Grossman-yes, Muriel Harper-yes, Virginia Heinemann-yes, Sidney Johnson-yes, Sandra Mahkorn-yes, Clark Olsen-yes, Bhupinder Saini-yes, Daniel Miota-yes. Motion carried.

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to adopt Conclusions of Law, in the matter concerning Dale Buegel, MD. Darold Treffert did not participate. Roll call vote: Lief Erickson-yes, Alfred Franger-yes, Ronald Grossman-yes, Muriel Harper-yes, Virginia Heinemann-yes, Sidney Johnson-yes, Sandra Mahkorn-yes, Clark Olsen-yes, Bhupinder Saini-yes, Daniel Miota-yes. Motion carried.

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to adopt the Order as amended, in the matter concerning Dale Buegel, MD. Darold Treffert did not participate. Roll call vote: Lief Erickson-yes, Alfred Franger-yes, Ronald Grossman-yes, Muriel Harper-yes, Virginia Heinemann-yes, Sidney Johnson-yes, Sandra Mahkorn-yes, Clark Olsen-yes, Bhupinder Saini-yes, Daniel Miota-yes. Motion carried.

ANTHENE ALEXIS, MD

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to adopt Findings of Fact, in the matter concerning Anthene Alexis, MD. Darold Treffert did not participate. Roll call vote: Lief Erickson-yes, Alfred Franger-yes, Ronald Grossman-yes, Muriel Harper-yes, Virginia Heinemann-yes, Sidney Johnson-yes, Sandra Mahkorn-yes, Clark Olsen-yes, Bhupinder Saini-yes, , Daniel Miota-yes. Motion carried.

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to adopt Conclusions of Law, in the matter concerning Dale Anthene Alexis, MD. Darold Treffert did not participate. Roll call vote: Lief Erickson-yes, Alfred Franger-yes, Ronald Grossman-yes, Muriel Harper-yes, Virginia Heinemann-yes, Sidney Johnson-yes, Sandra Mahkorn-yes, Clark Olsen-yes, Bhupinder Saini-yes, Daniel Miota-yes. Motion carried.

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to adopt the Order, in the matter concerning Anthene Alexis, MD. Darold Treffert did not participate. Roll call vote: Lief Erickson-yes, Alfred Franger-yes, Ronald Grossman-yes, Muriel Harper-yes, Virginia Heinemann-yes, Sidney

Johnson-yes, Sandra Mahkorn-yes, Clark Olsen-yes, Bhupinder Saini-yes, Daniel Miota-yes. Motion carried.

MARK HUFFMAN, MD

MOTION: Alfred Franger moved, seconded by Muriel Harper, to accept the request that the Board's Final Decision and Order, in the matter of Mark Huffman, MD, be amended to remove Mr. Rola's name or to replace it with an initial. Motion carried unanimously.

ISSUE COMPLAINTS

02 MED 175

MOTION: Clark Olsen moved, seconded by Muriel Harper, that there is probable cause to believe that the licensee in **02 MED 175** is guilty of unprofessional conduct and a complaint be issued and served and a hearing be held. Motion carried unanimously. Motion carried unanimously.

02 MED 050

MOTION: Sidney Johnson moved, seconded by Clark Olsen, that there is probable cause to believe that the licensee in **02 MED 050** is guilty of unprofessional conduct and a complaint be issued and served and a hearing be held. Motion carried unanimously. Motion carried unanimously.

REVIEW APPLICATION

OLE V SHEPHERD, PA

MOTION: Sidney Johnson moved, seconded by Clark Olsen, to approve the application of Ole V Shepherd, PA and grant him a license as a physician's assistant. Motion carried unanimously.

REQUEST FOR CHANGE IN BOARD ORDER

ANDREW KESSLER, MD

MOTION: Clark Olsen moved, seconded by Alfred Franger, to deny Andrew Kessler's request for a change in the Board order. Motion carried unanimously

REQUEST FOR STAY OF SUSPENSION

PETER GOY, MD

MOTION: Clark Olsen moved, seconded by Alfred Franger, to grant a three-month stay of suspension to Peter Goy, MD. Motion carried unanimously.

RICHARD S HELFFRICH, MD

MOTION: Clark Olsen moved, seconded by Ronald Grossman, to grant a three-month stay of suspension to Richard S Helffrich, MD. Motion carried unanimously.

J GREGORY HOFFMANN, MD

MOTION: Bhupinder Saini moved, seconded by Virginia Heinemann, to deny J. Gregory Hoffmann, MD, a three-month stay of suspension. Motion carried unanimously.

RAYMOND KOZIOL, MD

MOTION: Alfred Franger moved, seconded by Ronald Grossman, to grant Raymond Koziol, MD, a three-month stay of suspension. Motion carried unanimously.

PETER PARK, MD

MOTION: Sandra Mahkorn moved, seconded by Alfred Franger, to grant Peter Park, MD, a three-month stay of suspension. Motion carried unanimously.

KENNETH SPARR, MD

MOTION: Clark Olsen moved, seconded by Alfred Franger, to grant Kenneth Sparr, MD, a three-month stay of suspension and modify his order to reduce his urine drug screen frequency to once per week, and required therapy be changed to once per month. Motion carried unanimously.

TIMOTHY STAACKKE, MD

MOTION: Muriel Harper moved, seconded by Alfred Franger, to grant Timothy Staake, MD, a three-month stay of suspension, reduce his urine samples to one a month, and approve Dr. White of Aurora Psychiatric Hospital as his treatment provider. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Daniel Miota moved, seconded by Alfred Franger, to close complaint **01 MED 318** for no violation. Motion carried unanimously.

MOTION: Lief Erickson moved, seconded by Sandra Mahkorn, to close complaint **02 MED 054** for no violation. Motion carried unanimously.

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to close complaint **02 MED 143** for administrative closure. Motion carried unanimously.

RATIFYING LICENSES AND CERTIFICATES

MOTION: Ronald Grossman moved, seconded by Clark Olson, to ratify the applicants as licensed to practice medicine and surgery in the State of Wisconsin except Amos Bodner, MD, who is granted a temporary educational training permit providing he is enrolled in the IPP Program. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Clark Olsen, to ratify the applicants as licensed to practice as physicians assistants in the State of Wisconsin. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Clark Olsen, to ratify the applicants as certified as respiratory care practitioners in the State of Wisconsin. Motion carried unanimously.

MEETING WITH ASSISTANT ATTORNEY BRUCE OLSEN REGARDING ALAN GLICKLICH, MD

MOTION: Clark Olsen moved, seconded by Ronald Grossmann, to approve the decision regarding the matter of Alan Glicklich, MD, and dismiss the two Counts against him. Motion carried unanimously.

INFORMATIONAL ITEMS

There are two screening teams scheduled to meet on August 20th. The first team members are Alfred Franger, Muriel Harper, and Darold Treffert. They plan to meet at 10 a.m. The second team members are Virginia Heinemann, Sandra Mahkorn, and Clark Olsen. They plan to meet at 2 p.m.

ADJOURNMENT

MOTION: Alfred Franger moved, seconded by Lief Erickson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:35 p.m.

MEB061902